

मोरीस कुजुर

उप.मन्त्री

MAURICE KUJUR
VICE-CHAIRMAN

(Rank: Union Minister of State)

DO No.NCST/2008/REHAB/01



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR
SCHEDULED TRIBES

छठी मंजिल, लोकनायक भवन,

खान मार्केट, नई दिल्ली - 110003

6TH FLOOR, LOK NAYAK BHAWAN,

KHAN MARKET, NEW DELHI - 110003

Tel. : 24657272 Fax : 24657474

Dated the 06th August, 2010

Dear Shri Ramesh ji,

As you are aware, the Constitution of India enjoins upon this Commission to monitor all matters relating to the safeguards provided for the Scheduled Tribes, and to participate and advise on the planning process of socio-economic development of the Scheduled Tribes. Clause (9) of Article 338A of the Constitution also provides that "The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes. Clause 5(d) further provides that the Commission shall present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards.

2. While reviewing the status of implementation of resettlement and rehabilitation of tribals displaced by the development projects, the Commission has noted development-induced displacement in the country has brought severe economic, social and environmental problems to the displaced people. Its most important serious consequence for the tribal people has been the dispossession of land, both agricultural and homestead, along with the loss of their traditional occupation, besides traumatic psychological and socio-cultural problems.

3. The tribals have also been displaced in large numbers due to diversion of forest area for non-forest use for development and infrastructural projects like mining, construction of hydro power projects, highways, SEZ etc, and the same will continue in future too. In all such cases, it is necessary that rights of the affected tribal people should be settled as per the provisions of the STs and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act before approval is accorded for diversion of forest land for the implementation of the project. Further, the adverse effects on tribals, as a result of loss of their land as well as potential risks of deprivation arising from diversion of forest area for non-forest use for development and infrastructural projects will be in no way different from displacement of tribals from Critical Wildlife Habitat (CWH) under the provisions of the Wildlife (Protection) Amendment Act, 2006. Therefore, similar measures should be taken for their rehabilitation by the Ministry of Forest & Environment, whenever any displacement is occasioned by development projects also.

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4. I would, therefore, request you to consider introduction of necessary measures to safeguard the rights of the affected tribals, displaced from the forest land, as proposed above; and also apprise the Commission of the action taken in this regard.

With regards,

Yours Sincerely,

Maurice Kujur
(Maurice Kujur)

Shri Jairam Ramesh,
Minister of State (Independent Charge),
Ministry of Environment & Forest,
Paryavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi- 110003.

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C/A/W

जारी किया
ISSUED